

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/763,650 Confirmation No.: 9391
Applicant(s): Vernon MCDERMOTT Group Art Unit: 2875
Examiner: Bao Q. TRUONG
Filed: January 23, 2004
Customer No.: 27123
For: LIGHTING DEVICE AND METHOD FOR LIGHTING

**REQUEST FOR EXPEDITED ISSUANCE OF CERTIFICATE OF CORRECTION OF
PATENT**

Mail Stop _____
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached is Form PTO-1050. Patentee requests expedited issuance of the Certificate of Correction pursuant to M.P.E.P. § 1480.01.

- ☒ The error was the fault of the Patent and Trademark Office, no fee is required.
☐ The error was not the fault of the Patent and Trademark Office, please charge the requisite fee of \$100 to Deposit Account No. 13-4500, Order No. _____.
☒ The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment to Deposit Account No. 13-4500, Order No. 2173-4008.

A copy of the Amendment that patentee mailed on August 2, 2006 and the Patent and Trademark Office received on August 8, 2006 is also attached. The Amendment unequivocally supports patentee's assertions that the errors listed on the attached Form PTO-1050 were the fault of the Patent and Trademark Office.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: March 5, 2007

By: /Ankur Parekh/
Ankur P. Parekh
Registration No. 56,060

Correspondence Address:
MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile

UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

PATENT NUMBER : 7,178,937
 DATED : February 20, 2007
 INVENTOR(S) : Vernon McDermott

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In claim 17, line 7 (column 7, line 7), the word --diode-- should follow "emitting" but should precede the semicolon.

In claim 18, line 10 (column 7, line 23), the word --device-- should follow "lighting" but should precede the semicolon.

In claim 20, line 15 (column 8, line 10), the semicolon should be a comma.

In claim 20, line 16 (column 8, line 11), --reflector;-- should follow "soiling of the".

In claim 21, line 15 (column 8, line 32), --diode-- should follow "emitting" but should precede the semicolon.

MAILING ADDRESS OF SENDER: Morgan & Finnegan, LLP
 3 World Financial Center
 New York, NY 10281-2101

PATENT NO. 7,178,937

No. of additional copies

⇒ 4

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Vernon MCDERMOTT

Group Art Unit: 2875

Serial No.: 10/763,650

Examiner: Bao Q. TRUONG

Filed: January 23, 2004

For: LIGHTING DEVICE AND METHOD FOR LIGHTING

AMENDMENT UNDER 37 C.F.R. § 1.111

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated March 8, 2006, Applicant respectfully requests reconsideration in view of the following amendments and remarks.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 9 of this paper.

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AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims

Claim 1 (currently amended): A lighting device having at least one light-emitting diode as a light source, the lighting device comprising:

a housing;

a reflector, which has a central axis, mounted at least partially in the housing;

said at least one light-emitting diode mounted in the housing on a front side of the

reflector, arranged so that at least a substantial majority of light output from the light-emitting diode is reflected off the surface of the reflector and past the light-emitting diode;

a supporting element arranged in-front of the reflector for supporting the light-emitting diode; a protective filter or lens attached to the housing, protecting the light-emitting diode and reflector, and preventing soiling of the reflector; and

a focusing portion enabled to adjust a relative position between the light-emitting diode and the reflector in a direction substantially parallel to the central axis, the relative position of the light-emitting diode and the reflector determining the beam spread projecting from the lighting device.

Claim 2 (original): The lighting device of claim 1, wherein the supporting element is manufactured from a transparent material.

Claim 3 (original): The lighting device of claim 1, wherein the supporting element is manufactured from a resilient material.

Claim 4 (original): The lighting device of claim 1, wherein the supporting element is manufactured from a metal wire.

Claim 5 (withdrawn): The lighting device of claim 1, wherein the supporting element is mounted to the housing in a location on a back side of the reflector, the supporting element passing through the reflector to the front side of the reflector.

Claim 6 (original): The lighting device of claim 1, wherein the focusing portion comprises a linear actuator mounted in the protective filter or lens, substantially normal to the surface thereof, the linear actuator adjusting the distance between the light-emitting diode and the reflector, thereby adjusting the beam pattern of the lighting device.

Claim 7 (original): The lighting device of claim 6, wherein the linear actuator is a screw, which, when turned in a first direction advances through the filter or lens, deflecting the supporting element and light-emitting diode toward the reflector.

Claim 8 (withdrawn): The lighting device of claim 1, wherein the focusing portion comprises a screw mechanism arranged between the supporting element and the reflector, such that by

rotating the supporting element in a first direction, the light-emitting diode is urged toward the reflector.

Claim 9 (withdrawn): The lighting device of claim 8, wherein the screw mechanism is formed by at least two mating portions, a first mating portion being integral with the supporting portion.

Claim 10 (withdrawn): The lighting device of claim 9, wherein a second mating is integral with the reflector

Claim 11 (withdrawn): The lighting device of claim 9, wherein a second mating portion is integral with the housing.

Claim 12 (withdrawn): The lighting device of claim 8, wherein the screw mechanism is formed by at least two mating portions, a first mating portion being integral with the lens or filter.

Claim 13 (withdrawn): The lighting device of claim 12, wherein a second mating portion is integral with the housing.

Claim 14 (original): The lighting device of claim 1, wherein the reflector is a parabolic reflector and the first side of the reflector is substantially concave.

Claim 15 (withdrawn): The lighting device of claim 1, wherein the reflector is a hyperbolic reflector and the first side of the reflector is substantially convex.

Claim 16 (withdrawn): The lighting device of claim 1, wherein the adjusting portion adjusts a lateral position between the light-emitting diode and the reflector, the reflector having an elongated shape with a substantially parabolic cross-section, the cross-section of the reflector varying along a length of the reflector, such that when the light-emitting diode travels along the length of the reflector, the varying cross-section results in a varying beam pattern.

Claim 17 (currently amended): A light-emitting diode light source comprising:

at least [[1]] one light emitting diode; and
a reflector, which has a central axis, the light emitting diode being aimed substantially toward the reflector, arranged such that light being emitted by the light emitting diode reflects off of the reflector and past the light emitting diode; and
a focusing portion enabled to adjust a relative position between the light-emitting diode and the reflector in a direction substantially parallel to the central axis, the relative position of the light-emitting diode and the reflector determining the beam spread projecting from the lighting device.

Claim 18 (currently amended): A lighting device comprising:

a parabolic reflector mounted within the lighting device, the reflector having a front side and a back side, the reflector having a central axis, ~~about which the reflector is~~
~~substantially symmetrical~~; [[and]]
a light emitting diode arranged on the front side of the reflector, the light emitting diode being arranged substantially along the central axis of the reflector and directed

substantially toward the reflector, such that light emitted by the light emitting diode reflects off of the reflector and subsequently exits the lighting device; and a focusing portion enabled to adjust a relative position between the light-emitting diode and the reflector in a direction substantially parallel to the central axis, the relative position of the light-emitting diode and the reflector determining the beam spread projecting from the lighting device.

Claim 19 (currently amended): A method for providing focusability to a light emitting diode lighting device, the method comprising:

mounting [[a]] said light emitting diode in front of and substantially directed toward a reflector, which has a central axis, light from the light emitting diode being reflected off of the reflector and past the light-emitting diode; and
adjusting a distance between the light-emitting diode and the reflector in a direction substantially parallel to the central axis to adjust a beam spread emitted from the light-emitting diode lighting device.

Claim 20 (currently amended): A lighting device having a light-emitting diode as a light source, the lighting device comprising:

a housing;
a reflector, which has a central axis, mounted in the housing;
said [[a]] light-emitting diode mounted in the housing on a first side of the reflector, located substantially at a central axis of the reflector, the light-emitting diode

arranged so that at least a substantial majority of light output from the light-emitting diode is reflected off the surface of the reflector and past the light-emitting diode; a supporting element arranged in-front of the reflector for supporting the light-emitting diode; and a protective filter or lens attached to the housing, protecting the light-emitting diode and reflector, and preventing soiling of the reflector; and
a focusing portion enabled to adjust a relative position between the light-emitting diode and the reflector in a direction substantially parallel to the central axis, the relative position of the light-emitting diode and the reflector determining the beam spread projecting from the lighting device.

Claim 21 (currently amended): A light-emitting diode light source comprising:

a housing;
a light emitting diode arranged substantially in the housing;
a supporting portion for supporting the light emitting diode within the housing, the supporting portion being substantially rigidly attached to the light emitting diode, such that when the supporting portion is moved or deformed, the light emitting diode moves respectively;
a reflector, which has a central axis, arranged at least partly within the housing, the light emitting diode being aimed substantially toward the reflector and arranged such that light being emitted by the light emitting diode reflects off of the reflector, past the light emitting diode; and

a focusing portion enabled to adjust a relative position between the light-emitting diode and the reflector in a direction substantially parallel to the central axis, the relative position of the light-emitting diode and the reflector determining the beam spread projecting from the lighting device.

Claim 22 (new) The lighting device of claim 1, wherein the relative position between the light-emitting diode and the reflector is adjusted along the central axis.

REMARKS

Reconsideration of the above-identified application in view of the foregoing amendments and following remarks is respectfully requested.

Claim Status

Claims 1-21 are pending in this application. Claims 5, 8-13, 15 and 18 have been withdrawn as a result of a restriction requirement. Claims 1-4, 6, 7, 14, 17 and 19-21 are currently being considered, of which claims 1, 17 and 19-21 are independent in form. Claims 1-4, 6, 7, 14, 17 and 19-21 have been rejected.

Claims 1 and 17-21 are amended herein and new claim 22 has been added. Support for these amendments is found throughout the specification and drawings, as originally filed. No new matter has been added by these amendments.

Claim Objections

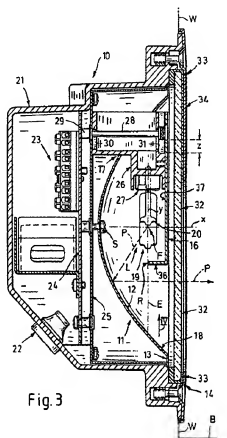
Claims 1, 17, 19 and 20 have been objected to due to alleged informalities as stated. (See Office Action, pp. 2-3, ¶ 2). Applicant has amended claims 1, 17, 19 and 20 to overcome the alleged informalities. Accordingly, Applicant respectfully requests reconsideration and withdrawal of these objections to claims 1, 17, 19 and 20.

Claim Rejections – 35 U.S.C. § 102

Claims 1, 14 and 17-21 have been rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Klose, U.S. Patent No. 6,648,490 (“Klose”). Applicant respectfully disagrees with the characterization of the claims and prior art in the stated rejections and respectfully traverses these rejections.

Nevertheless, Applicant has herein amended claim 1 to recite that the lighting device comprises *inter alia* “a reflector, which has a central axis,...” and “a focusing portion enabled to adjust a relative position between the light-emitting diode and the reflector in a direction substantially parallel to the central axis...” (emphasis added). Claims 17-21 have been amended to recite features similar to those now found in amended claim 1.

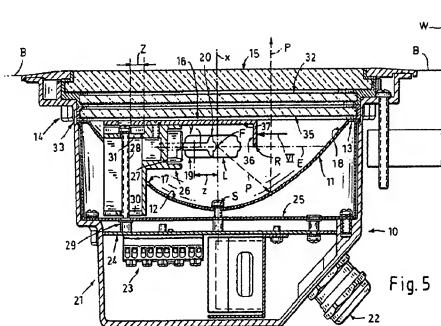
In contrast, Klose discloses clamping screw 28, which when loosened allows lamp carrier 26 to be moved only in a direction perpendicular to the direction of the central axis of the reflector. For example, in Figures 3 and 5, reproduced herein, Klose discloses moving the lamp carrier 26 a distance denoted Z, which is in a direction perpendicular to the direction of the central axis of the reflector denoted X.



With reference to Figure 3, Klose states that:

When one releases the clamping screw 28, which is threaded into a bushing 29 on the mounting plate 24, the lamp carrier 26 is sufficiently loose to enable it to be shifted along its adjustment slits 30 and 31 by the distance Z upwardly, thereby causing the downward deflection of the light rays toward the floor B. (Klose, col. 6, lines 12-17).

Similarly, with reference to Figure 5, Klose states that “the lamp can be shifted, e.g. to the left, upon loosening of the clamping screw 28 so that the entire lamp carrier can be displaced by the distance Z to the left.” (Klose, col. 6, lines 39-42).



Thus, clamping screw 28 in Klose does not adjust a relative position between the light-emitting diode and the reflector in a direction substantially parallel to the central axis X, but rather only a distance Z perpendicular to central axis X. In fact, Klose fails to disclose, teach or suggest a lighting device having a reflector, which has a central axis, and “a focusing portion enabled to adjust a relative position between a light-emitting diode and a reflector in a direction substantially parallel to the central axis ...” as claimed.

Applicant respectfully submits that the present invention as claimed is neither taught nor suggested by Klose, and therefore is neither anticipated by, nor rendered obvious in view of, Klose. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejections of claims 1, 14, and 17-21.

Claim Rejections - 35 U.S.C. § 103

Claims 2-4 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Klose. Applicant respectfully disagrees with the characterization of the claims and prior art in the stated rejections and respectfully traverses these rejections.

Applicant has not independently addressed the rejections of the dependent claims. Applicant submits that, as the independent claims from which the dependent claims depend are believed allowable for at least the reasons discussed *supra*, the dependent claims are believed allowable for at least similar reasons. Accordingly, Applicant respectfully requests reconsideration and withdrawal of these rejections.

Applicant has not specifically addressed the rejections stated herein and reserves the right to address the substance of such rejections in the future as appropriate.

Allowable Subject Matter

Applicant wishes to take this opportunity to thank the Examiner for the indication that claims 6 and 7 are directed to allowable subject matter.

New Claim

New dependent claim 22 has been added to claim a further aspect of the present invention. New claim 22 is believed allowable for at least the reasons discussed above.

CONCLUSION

For the above-stated reasons, this application is respectfully asserted to be in condition for allowance. An early and favorable examination on the merits is requested. In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. **13-4500**, Order No. 2173-4008.

While the petitioned extension of time is believed sufficient, should an additional extension of time be necessary to render this filing timely, such extension is hereby petitioned and the Commissioner is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. **13-4500**, Order No. 2173-4008.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: August 2, 2006

By: 

Peter N. Fill
Registration No. 38,876

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile